

DOCKET NO: 219735US3

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KENICHI UEYAMA, ET AL. : EXAMINER: COMSTOCK, D.
SERIAL NO: 10/082,343 :
FILED: FEBRUARY 26, 2002 : GROUP ART UNIT: 3733
FOR: HAIR WARMING TOOL AND :
HAIR TREATING METHOD :

RESPONSE TO RESTICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated April 12, 2007, Applicants provisionally elect, *with traverse*, Group I, Claims 1, 2, 8-9, 15-18, and 20, listed in the Restriction Requirement as drawn to a warming tool, and Applicants list Claims 1, 2, 8-9, 15-18, and 20 as readable thereon.

Applicants respectfully traverse the Restriction Requirement for the following reason.

MPEP § 803 states:

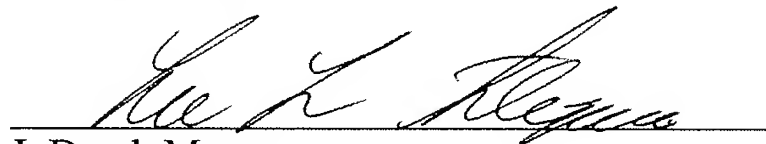
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Restriction Requirement on the grounds that a search and examination of the entire application

would not place a serious burden on the Examiner. Therefore, an action on all of the Claims 1-21 is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "J. Derek Mason", is written over a horizontal line.

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